

Minneapolis City Planning Department Report

Variance Request
BZZ-870

Date: December 11, 2002

Applicant: Jerry and Christine Martin

Address of Property: 3313 35th Avenue South

Contact Person and Phone: Jerry and Christine Martin, (612) 724-4401

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: September 27, 2002

End of 60-Day Decision Period: November 26, 2002

End of 120-Day Decision Period: Not applicable

Ward: 9 **Neighborhood Organization:** Longfellow Community Council

Existing Zoning: R1A

Proposed Use: Detached garage

Proposed Variance: To increase the maximum height of an accessory structure from the permitted 12 feet to 14 feet 7 inches when measured to the midpoint of the roof.

Zoning code section authorizing the requested variance: 525.520 (1)

Previous Actions: None

Concurrent Review:

Background: The applicants are proposing to demolish their existing one-car detached garage and construct a new three-car detached garage on their property. The proposed garage would exceed the maximum permitted height for an accessory structure.

This item was continued from the October 23, 2002 Board of Adjustment meeting. The Board asked the applicants to look at lowering the pitch of the roof so as to better maintain the character of the house. On November 6, 2002 the applicants sent a letter to the Planning Department withdrawing the application. On November 26, 2002 the applicants representative sent a letter to the Planning

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Department asking that the application not be withdrawn and instead proceed to the Board of Adjustment meeting on December 9, 2002.

Please note that the applicants did not make any modifications to their plans. They are asking that the Board of Adjustment vote on the plans as originally submitted.

Findings Required by the Minneapolis Zoning Code:

1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

Garage height: The applicant is seeking a variance to increase the maximum height of an accessory structure from the permitted 12 feet to 14 feet 7 inches when measured to the midpoint of the roof. The applicant has indicated that a taller garage will provide them with additional storage space on their property. The applicants have indicated that they have a 727 square foot home that does not have very much storage space on the inside. In addition, the applicants have indicated that the basement of the home floods during the rainy season. The size of the proposed garage is 672 square feet.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Garage height: The need for additional storage space is not a unique condition of this parcel of land. The Planning Department has typically recommended approval of taller garages when the roof pitch of the garage is designed to mimic the roof pitch of the existing house. In this situation, the roof pitch of the garage would be much steeper than the roof pitch of the existing home.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Garage height: The Planning Department believes that the granting of this variance may alter the essential character of the neighborhood as the proposed garage would be as tall if not taller than the applicants house.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Garage height: Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed garage height be detrimental to welfare or public safety.

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Recommendation of the City Planning Department:

The City Planning Department recommends that the Board of Adjustment adopt the findings above and **deny** the variance to increase the maximum height of an accessory structure from the permitted 12 feet to 14 feet 7 inches when measured to the midpoint of the roof.